

11-23-05

TJW  
PATENT 135830

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE  
NOV 22 2005  
PATENT & TRADEMARK OFFICE  
Applicant: Peter R. Hull et al. :  
Serial No.: 10/828,663 : Group No.: 3746  
Filed: 10/828,663 : Examiner: Kim, Tae Jun  
For: GAS TURBINE HEAT  
EXCHANGER ASSEMBLY  
AND METHOD FOR  
FABRICATING SAME

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

1. Transmitted herewith is:

- Amendment Transmittal and Certificate of Mailing by Express Mail (3 pgs.)
- Amended Amendment in response to the Restriction Requirement filed on September 30, 2005 (2 pgs.)
- Response to Non-Complaint Amendment (1 pg.)
- Return Receipt Postcard (1 pg.)

**STATUS**

2. Applicant



claims small entity status.

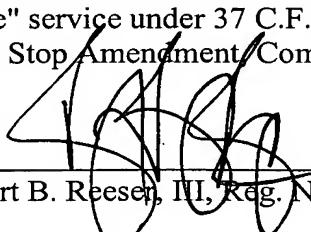


is other than a small entity.

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO  
THE COMMISSIONER FOR PATENTS**

**Express Mail No. EV679299157 US  
Date: November 22, 2005**

I hereby certify that the documents listed above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Robert B. Reeser, III, Reg. No. 45,548

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

(a)  Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
first month	\$ 120.00	\$ 60.00
second month	\$ 450.00	\$ 225.00
third month	\$ 1,020.00	\$ 510.00
fourth month	\$1,590.00	\$ 795.00
fifth month	\$2,160.00	\$1,080.00

Fee: \_\_\_\_\_ \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

*(Check and complete the next item, if applicable)*

An extension of \_\_\_\_\_ months has already been secured. The fee paid therefor \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$\_\_\_\_\_

OR

(b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDITIONAL RATE FEE	ADDITIONAL RATE FEE
TOTAL INDEP.	MINUS	=	x \$25.00 = \$	x \$50.00 = \$
	MINUS	=	x \$100.00 = \$	x \$200.00 = \$
— FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+ \$180.00 = \$	+ \$360.00 = \$
			TOTAL ADDITIONAL FEE \$	OR
				TOTAL ADDITIONAL FEE \$

(a)  No additional fee for Claims is required

**OR**

(b)  Total additional fee for claims required \$ \_\_\_\_\_

## FEE PAYMENT

5. Attached is a check in the sum of \$ \_\_\_\_\_

Charge Deposit Account No. 01-2384 the sum of \$ \_\_\_\_\_.  
A duplicate of this transmittal is attached.

## FEE DEFICIENCY

6.  If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

## AND/OR

If any additional fee for claims is required, charge Deposit Account No. 01-2384.

7.  Other:



\_\_\_\_\_  
 Robert B. Reeser, III  
 Reg. No. 45,548  
 ARMSTRONG TEASDALE LLP  
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 St. Louis, MO 63102  
 314-621-5070



Express Mail No. EV679299157 US

135830  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter R. Hull, et al. :  
Serial No. 10/828,663 : Group Art Unit: 3746  
Filed: April 21, 2004 : Examiner: Kim, Tae Jun  
For: GAS TURBINE HEAT EXCHANGER :  
ASSEMBLY AND METHOD FOR :  
FABRICATING SAME :  
:

**Response to Notice of Non-Compliant Amendment**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Notice of Non-Compliant Amendment dated October 27, 2005,  
Applicants hereby resubmit the Restriction Requirement as amended.

Respectfully Submitted,

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IN THE UNITED STATES OFFICE OF PATENTS AND TRADEMARKS

Applicant: Peter R. Hull, et al.

Serial No. 10/828,663

Filed: April 21, 2004

For: GAS TURBINE HEAT EXCHANGER  
ASSEMBLY AND METHOD FOR  
FABRICATING SAME

: Group Art Unit: 3746

: Examiner: Kim, Tae Jun

**AMENDED RESPONSE TO RESTRICTION REQUIREMENT**

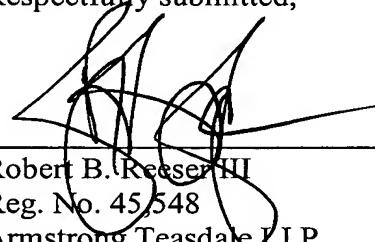
Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Office Action mailed September 30, 2005, has been carefully reviewed and this amendment has been made in consequence thereof. In response to the election requirement set forth in the Office Action, Applicants elect for prosecution in this application all claims of Group II, Species I, Figures 1-5, identified in the Office Action. Claims 8-20 drawn to a method of making a gas turbine engine, are in the elected claim group are in the elected claim group.

The restriction requirement is traversed because the inventions set out by the claims in Groups I and II clearly are related. It is believed that a thorough search and examination of either claim group would be relevant to the examination of the other group. In addition, requirements for restriction are not mandatory under 35 U.S.C. Accordingly, reconsideration of the restriction requirement is requested.

Respectfully submitted,

  
\_\_\_\_\_  
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